

**Steven F. Cade, OSB #106466**  
**scade@williamskastner.com**  
WILLIAMS KASTNER GREENE & MARKLEY  
1515 SW Fifth Avenue, Suite 600  
Portland, OR 97201-5449  
Phone: (503) 228-7967  
Fax: (503) 222-7261  
Attorneys for Defendants Umpqua Bank, N.A.

The Honorable Michael H. Simon

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

**WILLIAM WALTERS,**

Plaintiff,

v.

**Umpqua Bank, N.A., and DOES 1 through  
100 inclusive,**

Defendant.

**Case No. 3:18-cv-01017-SI**

**STIPULATION FOR JUDGMENT OF  
DISMISSAL**

COMES NOW Bankruptcy Trustee, Kenneth S. Eiler (“Eiler”), in pro per, and Defendant, Umpqua Bank, N.A., (“Umpqua”) through its attorneys, who jointly submit this stipulation for a judgment of dismissal, with prejudice, of all claims filed by plaintiff William Walters in this matter, with no award of costs or fees to any party.

///

Page 1 - **STIPULATION FOR JUDGMENT OF  
DISMISSAL**

6795502.1

**Williams Kastner Greene & Markley**  
1515 SW Fifth Avenue, Suite 600  
Portland, OR 97201-5449  
Telephone: (503) 228-7967 • Fax (503) 222-7261

Now, therefore, the parties stipulate as follows:

1. Plaintiff William Walters (“Plaintiff”) filed this action seeking damages under the Telephone Consumer Protection Act and other statutes (the “Claims”).
2. Umpqua filed a counterclaim for breach of contract (the “Counterclaim”).
3. Plaintiff then filed bankruptcy in the United States Bankruptcy Court of the District of Oregon, Case No. 18-34125-pcm7 (the “Bankruptcy Case”).
4. Eiler was appointed Trustee in the Bankruptcy Case, with full power to compromise the Claims.
5. Eiler and Umpqua have reached agreement to dismiss the Claims, with prejudice, and the Counterclaims without prejudice, and with no award of fees or costs to either party, which agreement was presented in the Bankruptcy Case and was approved. The Counterclaim shall be resolved through the Bankruptcy Case.

6. This Case should be dismissed as stated herein.

IT IS SO STIPULATED, this 26<sup>th</sup> day of March, 2019

/s/ Kenneth S. Eiler

Kenneth S. Eiler  
515 NW Saltzman Road, PMB 810  
Portland, OR 97229  
[Kenneth.eiler7@gmail.com](mailto:Kenneth.eiler7@gmail.com)

*Trustee over Assets of Plaintiff in Case  
18-34125-pcm7*

/s/ Steven F. Cade

Steven F. Cade, OSB #106466  
WILLIAMS KASTNER GREENE & MARKLEY  
1515 SW Fifth Avenue, Suite 600  
Portland, OR 97201  
Email: [scade@williamskastner.com](mailto:scade@williamskastner.com)  
(503) 228-7967  
*Attorneys for Defendants Umpqua Bank, N.A.*

**CERTIFICATE OF SERVICE**

I certify that I served the foregoing STIPULATION FOR JUDGMENT OF DISMISSAL on the following attorneys by the method indicated below on the 26<sup>th</sup> day of March, 2019:

*Attorneys for Plaintiff:*

Kyle Schumacher, Esq.  
Sagaria Law, P.C.  
3017 Douglas Blvd., Suite 200  
Roseville, CA 95661

Email: [kschumacher@sagarialaw.com](mailto:kschumacher@sagarialaw.com)

Via First Class Mail  
 Via Federal Express  
 Via Facsimile  
 Via Hand-Delivery  
 Via E-Mail  
 Via the court's Efilng system at the party's email address as recorded on the date of service in the Efilng system.

WILLIAMS KASTNER GREENE & MARKLEY

By /s/ Steven F. Cade  
Steven F. Cade, OSB #106466  
*Attorneys for Defendants*